REGISTER OF
CLASSIFICATION DECISIONS

Date of entry in Register:	04 June 1999
Name of applicant/court:	The District Court at New Plymouth
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Re: Tell Me More ...
Other Known Titles:	Tell Me More ...
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	Not Stated
Author:	Not Stated
Format:	Computer Printout e-mail
Country of Origin:	New Zealand
Language:	English

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Components of film originally examined: Not Applicable.

Feature:	Running time:
Trailers:	Running time:
	Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

… Please turn over

Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The computer printout e-mail entitled *Re: Tell Me More...* is classified as: Objectionable.

The publication is a computer printout of an e-mail message onto two sheets of A4 size paper. It consists of text. It predominantly consists of a story describing sexual activity between an adult male (the author of the e-mail) and a fourteen year old boy. The sexual activity is initiated by the author who offers to show the boy how to put on a condom. The sexual activity is predominantly led by the author. There are some references to the boy's physical development that reinforce he is a young person.

The story uses explicit and offensive language and is written in a salacious manner intended to present sexual activity between adults and young persons as a sexually arousing scenario. This is reinforced by comments of the author to the recipient such as "Tell me in great detail how this turned you on! I won't write you another story until you do!" At the start of the e-mail the author notes that the recipient had stated he had an erection as a result of reading an earlier story and the author asks whether he masturbated as a result. The author also states "I would like to think that my stories are assisting you to an orgasm or three."

The publication presents sexual activity between adults and young persons as sexually arousing, pleasurable and legitimate, and further gives the implicit message that it is acceptable and legitimate for adults to initiate sexual activity with young persons. The publication therefore promotes and supports the exploitation of children and young persons for sexual purposes as outlined under s3(2) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act).

An objectionable classification places a limit on the right to freedom of expression outlined under s14 of the New Zealand Bill of Rights Act 1990 (NZBR Act). The publication falls under s3(2) of the FVPC Act which overrides the NZBR Act because it is a deeming provision which cannot be given a meaning that is consistent with the rights and freedoms contained in s14 of the NZBR Act. As such if the Classification Office considers that the publication promotes or supports criteria listed in s3(2), the publication shall be deemed "objectionable" without any further consideration of the NZBR Act. This limit on the freedom of expression is prescribed by law.

OFLC Ref: 9900663